

1 Lenore Silverman, SBN 146112
lsilverman@fagenfriedman.com
2 Kimberly A. Smith, SBN 176659
ksmith@fagenfriedman.com
3 FAGEN FRIEDMAN & FULFROST, LLP
6300 Wilshire Boulevard, Suite 1700
4 Los Angeles, California 90048
Phone: 323-330-6300
5 Fax: 323-330-6311

6 Attorneys for Defendant, SAN FRANCISCO
UNIFIED SCHOOL DISTRICT
7

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10
11 A.B., a minor, By and Through W.F.B., His
Guardian Ad Litem,

12 Plaintiffs,

13 vs.

14 SAN FRANCISCO UNIFIED SCHOOL
15 DISTRICT,

16 Defendant.

CASE NO. C 07-4738 (PJH)

STIPULATION TO EXTEND TIME TO FILE
MOTION FOR ATTORNEYS FEES;
[~~PROPOSED~~] ORDER

17
18 Plaintiff A.B. (Plaintiff) and defendant San Francisco Unified School District ("District")
19 hereby provide this Court with the following Stipulation and Proposed Order to extend the time
20 for Plaintiff to file a motion for attorneys fees in connection with this action as follows:

21 WHEREAS, on October 30, 2008, the Court granted Defendant's Motion for Summary
22 Judgment and denied Plaintiff's Motion for Summary Judgment;

23 WHEREAS, on November 5, 2008, Judgment was entered on behalf of Defendant;

24 WHEREAS, Plaintiff intends to file a Motion for Attorneys Fees pursuant to Federal Rules
25 of Civil Procedure Rule 54 and pursuant to the Individuals with Disabilities Education Act (20
26 U.S.C. §1400 *et seq.* and the California Education Code to recover fees on those issues on which
27 he prevailed in the underlying administrative proceeding;
28

1 WHEREAS, the parties wish to take the opportunity to attempt to resolve the issue of
2 attorney fees from the underlying proceeding prior to expending judicial resources on the matter;

3 The parties hereby STIPULATE that

4 1. If Plaintiff does not file an appeal of the judgment in this matter, Plaintiff will have
5 until January 30, 2009 to file a Motion for Attorneys Fees related to the underlying due process
6 hearing;

7 2. Defendant will file its Opposition by February 25, 2009;

8 3. Plaintiff will file his Reply by March 4, 2009; and

9 4. Hearing on the Motion will be held on March 18, 2008.

10 DATED: November 10, 2008

11
12 By: /s/ Roberta Savage
13 Roberta Savage,
14 Attorneys for Plaintiff, A.B.

15 DATED: November 10, 2008

FAGEN FRIEDMAN & FULFROST, LLP

16
17 By: /s/ Kimberly A. Smith
18 Kimberly A. Smith
19 Attorneys for Defendant, SAN FRANCISCO
20 UNIFIED SCHOOL DISTRICT

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1 I, Kimberly A. Smith, am the ECF User whose ID and password are being used to file this
2 STIPULATION TO EXTEND TIME TO FILE MOTION FOR ATTORNEYS FEES. In
3 compliance with General Order 45, X.B., I hereby attest that Roberta Savage has concurred in this
4 filing.

5 DATED: November 10, 2008

FAGEN FRIEDMAN & FULFROST, LLP

6
7 By: /s/ Kimberly A. Smith

Kimberly A. Smith

8 Attorneys for Defendant, PAJARO VALLEY
9 UNIFIED SCHOOL DISTRICT
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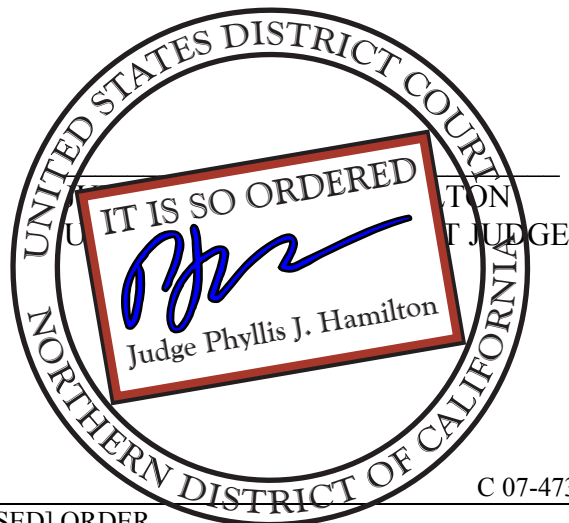
~~PROPOSED~~ ORDER

17
18 **ORDER**

19 The Court, having reviewed and considered the STIPULATION TO EXTEND TIME TO
20 FILE MOTION FOR ATTORNEYS FEES and finding good cause, does hereby **ORDER** that
21 Plaintiff shall file his Motion for Attorneys Fees no later than January 30, 2009.

22 IT IS SO ORDERED.

23
24 DATED: 11/17/08



[PROPOSED] ORDER

C 07-4738 (PJH)